

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY DOCKET NUMBER
SCHN-0033

U.S. APPLICATION NO. (if known) 107510363 S

INTERNATIONAL APPLICATION NO.
PCT/US03/10302INTERNATIONAL FILING DATE
04 April 2003 (04.04.2003)PRIORITY DATE CLAIMED
05 April 2002 (05.04.2002)TITLE OF INVENTION METHODS OF IDENTIFYING COMPOUNDS THAT MODULATE A DNA REPAIR
PATHWAY AND/OR RETROVIRAL INFECTIVITY, THE COMPOUNDS, AND USES THEREOF

APPLICANT(S) FOR DO/EO/US Richard A. FISHEL and Kristine E. YODER

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. The US has been elected (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4). (**A copy of the executed Inventorship Declaration filed in the PCT application**)
10. An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 20. below concern other document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A preliminary amendment.
14. An Application Data Sheet under 37 CFR 1.76.
15. A substitute specification.
16. A power of attorney and/or change of address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information:
 - Statement to Support Filing and Submission of Sequence Listing;
 - Sequence Listing in written format (19 sh.);
 - a copy of the International Search Report (6 sh.);
 - return postcard.

EL 975571346 US

U.S. APPLICATION NO. <u>10/510363</u>		INTERNATIONAL APPLICATION NO. PCT/US03/10302	ATTORNEY DOCKET NUMBER SCHN-0033
21. <input checked="" type="checkbox"/> The following fees are submitted: Basic National Fee (37 CFR 1.492(a)(1) - (5)):		<u>CALCULATIONS</u> <u>PTO USE ONLY</u>	
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO		\$1,080.00	
International preliminary examination fee (37 CFR 1.482 not paid to USPTO but International Search Report has been prepared by the EPO or JPO		\$920.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO		\$770.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$730.00	
International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT =			
\$ 730.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
Claims	Number Filed	Number Extra	Rate
Total claims	<u>132- 20 =</u>	<u>112</u>	X \$18.00
Independent Claims	<u>13- 3 =</u>	<u>10</u>	x \$86.00
Multiple dependent claims(s) (if applicable)		+ \$290.00	
		TOTAL OF ABOVE CALCULATIONS =	
		\$3,606.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by ½.		\$	
		SUBTOTAL =	
		\$1,803.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		+	
		TOTAL NATIONAL FEE =	
		\$1,803.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). <u>\$40.00 per property</u>		+	
		TOTAL FEES ENCLOSED =	
		\$1,803.00	
		Amount to be: refunded	\$
		charged	\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$1,803.00 to cover the above fee is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 23-3050 in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Suzanne E. Miller Woodcock Washburn LLP One Liberty Place - 46th Floor Philadelphia, PA 19103 (215) 568-3100</p> <p><i>Felicity E. Groth</i> SIGNATURE</p> <p>Felicity E. Groth NAME</p> <p>47,042 REGISTRATION NUMBER</p>			